

UNITED STATES BANKRUPTCY APPELLATE PANEL
FOR THE EIGHTH CIRCUIT

No. 04-6063NI

In Re: Gilbertson Restaurants, *
LLC; Beaton, Inc.; KC Beaton *
Holding Company, LLC; Beaton *
Holding Company, LC *

Debtors *

FL Receivables Trust, 2002-A *

Plaintiff – Appellant *

vs. * Appeal from the United States
* Bankruptcy Court for the
* Northern District of Iowa

Gilbertson Restaurants, LLC; *
Beaton, Inc.; KC Beaton Holding *
Company, LLC; *

Defendants *

Burger King Corporation *

Defendant – Appellee *

FILED
US BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

NOV 03 2004

SEAN F. McAVOY, CLERK

JUDGMENT

Upon review by the court, it is hereby determined that the appeal filed October 22, 2004 is an interlocutory appeal. Appellant has not sought leave to take an interlocutory appeal, and the court is not inclined to grant such leave. Accordingly, the appeal is dismissed.

November 2, 2004

Order Entered at the Direction of the Court:

Clerk, U.S. Bankruptcy Appellate Panel, Eighth Circuit

**UNITED STATES BANKRUPTCY APPELLATE PANEL
FOR THE EIGHTH CIRCUIT**

No. 04-6063NI

In Re: Gilbertson Restaurants,
LLC; Beaton, Inc.; KC Beaton
Holding Company, LLC; Beaton
Holding Company, LC

Debtors

FL Receivables Trust, 2002-A

Plaintiff - Appellant

vs.

Gilbertson Restaurants, LLC;
Beaton, Inc.; KC Beaton Holding
Company, LLC;

Defendants

Burger King Corporation

Defendant - Appellee

FILED
US BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

NOV 04 2004

SEAN F. McAVOY, CLERK

Appeal from the United States
Bankruptcy Court for the
Northern District of Iowa

JUDGMENT

Upon review by the court, it is hereby determined that the appeal filed October 22, 2004 is an interlocutory appeal. Appellant has not sought leave to take an interlocutory appeal, and the court is not inclined to grant such leave. Accordingly, the appeal is dismissed.

November 2, 2004

A true copy.

ATTEST:

Michael E. Gans

Clerk, U.S. Bankruptcy Appellate Panel, Eighth Circuit